

NEWS RELEASE

**OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF ILLINOIS**

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For Immediate Release

JUNE 15, 2005

Ronald J. Tenpas, United States Attorney for the Southern District of Illinois, announced today that on June 7, 2005, **MICHAEL S. AUGUSTINE**, age 40, of Waterloo, Illinois, was indicted by a Federal Grand Jury sitting in Benton, Illinois, in a nine-count indictment, charging him in Count 1 with conspiracy to damage/destroy a building by fire; in Count 2 with damaging/destroying a building by fire; in Counts 3 and 4 with wire fraud; in Counts 5 and 6 with mail fraud; in Count 7 with use of fire to commit a felony; and in Counts 8 and 9 with witness intimidation. The offenses carry the following penalties: For Counts 1 and 2, not less than 5 years and not more than 20 years imprisonment, a fine of \$250,000, and not more than 5 years supervised release; for Counts 3 through 6, not more than 20 years imprisonment, a \$250,000 fine, and not more than 3 years supervised release; for Count 7, 10 years imprisonment consecutive to the penalties for Counts 3 through 6; and for Counts 8 and 9, not more than 10 years imprisonment, a \$250,000 fine, and not more than 3 years supervised release. The basis of the allegations in the Indictment arise from the acts leading up to and following the destruction by fire of the building containing the Pop-N-Pizza business located at 529 ½ Falling Springs Road, Cahokia, Illinois, on August 14, 2003. The violations took place between July 2003, and October 28, 2003, in St. Clair County, Illinois.

An indictment is a formal charge against a defendant. Under the law, a defendant is presumed to be innocent of a charge until proved guilty beyond a reasonable doubt to the satisfaction of a jury.

The investigation was conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Cahokia Police Department, the Illinois Fire Marshal, and United States Postal Inspection Service.

The case is being prosecuted by Assistant United States Attorney Deirdre A. Durborow.